

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT  
FOR SUFFOLK COUNTY

SINGLE JUSTICE  
SJ-2004-0198 & SJ-2004-0199

NATHANIEL LAVALLEE, *et al.*

V.

THE JUSTICES OF THE SPRINGFIELD DISTRICT COURT

and

MICHAEL CARABELLO, *et al.*

V.

THE JUSTICES OF THE HOLYOKE DISTRICT COURT

STATUS REPORT

Now come the petitioners in the above-captioned cases and state that, as of the date of this report, the following indigent criminal defendants are without counsel in Hampden County:

Springfield District Court

1. Arnold Freeman, aka Jeffrey Thompson; arraigned May 5, 2004; held on \$1000 cash bail.
2. Jamar T. Gillerson; arraigned May 5, 2004; held pending a "dangerousness" hearing.
3. Cordelle Simmonds; arraigned May 5, 2004; held without right to bail.
4. Reginald C. Smith; arraigned May 5, 2004; held on bail.
5. Corey L. Smith; arraigned May 5, 2004; held without right to bail.

6. Debra Staples, arraigned May 5, 2004; released on personal recognizance.
7. Charles Foley; arraigned May 5, 2004; released on \$100 cash bail.
8. Douglas Lewis; arraigned May 5, 2004; released on bail.
9. Keith E. Taskey; arraigned May 5, 2004; held pending a "dangerousness" hearing.
10. Dana J. Jones; arraigned May 5, 2004, held pending a "dangerousness" hearing.
11. Luis A. Osorio, arraigned May 5, 2004; held without right to bail.
12. Jonathan Marrero; arraigned May 5, 2004; released on bail.
13. Nathaniel Lavallee; arraigned May 5, 2004; released on \$200 cash bail.
14. Joseph Polamtier; arraigned May 5, 2004; held on \$500 cash bail.
15. Maria Alvarado; arraigned on May 5, 2004; held on \$3000 cash bail.
16. Jesus Gonzalez; arraigned on April 13, 2004; held on bail of \$10,000 cash or \$100,000 surety.
17. Luciano Claudio, Jr.; arraigned April 20, 2004; held on \$10,000 cash bail.
18. Willie Middlebrooks; arraigned on May 6, 2004; held on bail of \$5,000 cash, \$50,000 surety.
19. Isaac Verdejo; arraigned on May 5, 2004; released on \$1500 cash bail.
20. Roberto Echevarria; arraigned on May 6; 2004; released on personal recognizance.
21. Tina Welch; arraigned on May 6, 2004; held on \$250 bail.
22. Cory Phillips; arraigned on May 6, 2004; released on \$100 cash bail.
23. Julio Morales; arraigned on May, 2004; held on \$650 cash bail
24. Leo Freeman; arraigned on May 6, 2004; released on personal recognizance.
25. Serafin Melendez; arraigned on May 6, 2004, released on \$100 cash bail.

Holyoke District Court

26. Joel J. Rodriguez; arraigned February 19, 2004; held on bail of \$5,000 cash or \$30,000 surety; indicted week of May 4, 2004.
27. Michael Carabello; arraigned April 2, 2004; held on bail of \$100,000 cash or \$500,000 surety.
28. Alberto Rivera; arraigned April 23, 2004; held on bail of \$10,000 cash or \$100,000 surety.
29. Gregorio Garcia; charge amended April 28, 2004; held on bail of \$25,000 cash or \$250,000 surety.
30. Luis Vallellanes; arraigned on February 19, 2004; held on bail of \$10,000 cash or \$35,000 surety.
31. Jorge L. Garcia; arraigned April 7, 2004; released on bail of \$10,000, personal surety.

Chicopee District Court

32. Abraham Muniz; arraigned April 20, 2004; held on \$5,000 cash bail.
33. Thiago Barros; arraigned April 20, 2004; held on \$50,000 cash bail.
34. Tawanda Knighton; arraigned May 11, 2004; held on \$1,000 cash bail.

Palmer District Court

35. Tami Przybycies; arraigned April 6, 2004; released on personal recognizance, with conditions.
36. Nelson Dinzey; arraigned April 16, 2004; under sentence.
37. Alexander Perez; arraigned April 16, 2004; released bail.

Counsel further reports that, in SJ-2004-0198, Omar Hall and Harold Vargas have been assigned counsel since their arraignment on May 5, 2004, in Springfield District Court, and that Angel Rivera, also arraigned in Springfield District Court on May 5, 2004, pleaded guilty that

day without counsel. In SJ-2004-0199, David Vaddy; arraigned on April 23, 2004, in Holyoke District Court was assigned counsel on May 13, 2004.

COMMITTEE FOR PUBLIC COUNSEL SERVICES  
By its Chief Counsel,

William J. Leahy (by Bille)  
William J. Leahy  
BBO #290140

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Dated: May 13, 2004.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT  
FOR SUFFOLK COUNTY

SINGLE JUSTICE  
NO. SJ-2004-198

NATHANIEL LAVALLEE, CORDELLE SIMMONDS, ISSAC VERDEJO, JAMAR T. GILLERSON, ARNOLD FREEMAN A.K.A. JEFFREY THOMPSON, HAROLD VARGAS, REGINALD C. SMITH, COREY L. SMITH, DEBRA STAPLES, CHARLES FOLEY, DOUGLAS LEWIS, KEITH E. TASKEY, DANA J. JONES, ANGEL RIVERA, JOSEPH POLAMTIER, MARIA ALVARADO, JONATHAN MARRERO, OMAR HALL, LUIS A. OSORIO, OTHER UNKNOWN INDIGENT CRIMINAL DEFENDANTS,  
AND COMMITTEE FOR PUBLIC COUNSEL SERVICES  
(ON BEHALF OF FUTURE DEFENDANTS)

V.

THE JUSTICES OF THE SPRINGFIELD DISTRICT COURT

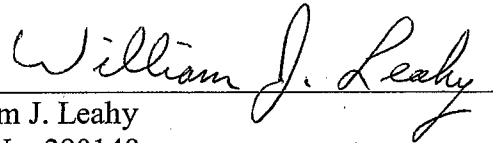
AFFIDAVIT OF WILLIAM J. LEAHY IN SUPPORT OF STATUS REPORT

I, William J. Leahy, Chief Counsel of the Committee for Public Counsel Services (CPCS), hereby state that:

1. The Status Report filed today as to the identities and custody status of Petitioners in this case is based upon our best information compiled from daily reports by the CPCS public defender office based in Springfield and by the Hampden County Bar Advocate Program. It is our intention to furnish a weekly update to the Court, unless otherwise requested or ordered.
2. Since the filing and initial hearing of this Petition on May 6, 2004, I have received three additional Orders to Assign Counsel from the Hampden County Superior Court (Sweeney, J.). Please see my initial affidavit at paragraph eleven, and Exhibit A attached thereto, describing previous such orders.
3. While I have been able to assign counsel for one of the three Superior Court defendants, and have so informed the Superior Court, it is very unlikely that our efforts to assign counsel at existing compensation rates for each of the remaining two defendants will be successful.

4. I have today filed a Motion to Assign Certified Counsel in the case of Commonwealth v. Michael Guess, Hampden Superior Court docket number 99-2556, and have requested a hearing upon said motion.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY ON THIS  
THIRTEENTH DAY OF MAY, 2004.

A handwritten signature in cursive script, reading "William J. Leahy", written over a horizontal line.

William J. Leahy  
BBO No. 290140  
COMMITTEE FOR PUBLIC COUNSEL SERVICES  
44 Bromfield Street, Suite 200  
Boston, MA 02108  
(617) 482-6212

CERTIFICATE OF SERVICE

I, William J. Leahy, do hereby certify that on this 13<sup>th</sup> day of May, 2004, I served a copy of the petitioner's "Status Report" and further affidavit in support thereof, by mailing a copy, via first-class mail, to the following:

Ronald F. Kehoe Assistant Attorney General  
Office of the Attorney General  
One Ashburton Place, 20<sup>th</sup> Floor  
Boston, MA 02108

William J. Leahy (by type)  
William J. Leahy, Chief Counsel  
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